

House File 237 - Introduced

HOUSE FILE 237

BY SHIPLEY

A BILL FOR

1 An Act requiring school districts and accredited nonpublic
2 schools to prohibit pharmaceutical product advertisement
3 in schools and relating to medical and health information
4 offered to students under the educational standards.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 256.11, subsection 4, Code 2021, is
2 amended to read as follows:

3 4. The following shall be taught in grades seven and
4 eight: English-language arts; social studies; mathematics;
5 science; health; age-appropriate and research-based human
6 growth and development; career exploration and development;
7 physical education; music; and visual art. Computer science
8 instruction incorporating the standards established under
9 section 256.7, subsection 26, paragraph "a", subparagraph (4),
10 shall be offered in at least one grade level commencing with
11 the school year beginning July 1, 2023. Career exploration
12 and development shall be designed so that students are
13 appropriately prepared to create an individual career
14 and academic plan pursuant to [section 279.61](#), incorporate
15 foundational career and technical education concepts aligned
16 with the six career and technical education service areas
17 as defined in [subsection 5](#), paragraph "h", and incorporate
18 relevant twenty-first century skills. The health curriculum
19 shall include age-appropriate and research-based information
20 regarding the National Childhood Vaccine Injury Act of 1986,
21 42 U.S.C. §300aa-1 to 300aa-34, the occurrence of medical
22 errors, the practices of medical informed consent, the rights
23 and responsibilities of patients under the law, and the
24 characteristics of sexually transmitted diseases, including HPV
25 and the availability of a vaccine to prevent HPV, and acquired
26 immune deficiency syndrome. The state board as part of
27 accreditation standards shall adopt curriculum definitions for
28 implementing the program in grades seven and eight. However,
29 this subsection shall not apply to the teaching of career
30 exploration and development in nonpublic schools. For purposes
31 of [this section](#), "age-appropriate", "~~HPV~~", and "research-based"
32 mean the same as defined in [section 279.50](#).

33 Sec. 2. Section 256.11, subsection 5, paragraph j,
34 subparagraph (1), Code 2021, is amended to read as follows:

35 (1) One unit of health education which shall include

1 personal health; food and nutrition; environmental health;
 2 safety and survival skills; consumer health; family life;
 3 age-appropriate and research-based human growth and
 4 development; substance abuse and nonuse; emotional and social
 5 health; health resources including but not limited to the
 6 National Childhood Vaccine Injury Act of 1986, 42 U.S.C.
 7 §300aa-1 to 300aa-34, materials relating to the occurrence of
 8 medical errors, the practices of medical informed consent,
 9 and information regarding the rights and responsibilities of
 10 patients under the law; and prevention and control of disease,
 11 including age-appropriate and research-based information
 12 regarding sexually transmitted diseases, ~~including HPV and the~~
 13 ~~availability of a vaccine to prevent HPV,~~ and acquired immune
 14 deficiency syndrome.

15 Sec. 3. Section 279.50, subsection 2, Code 2021, is amended
 16 to read as follows:

17 2. Each school board shall provide age-appropriate and
 18 research-based instruction in human growth and development
 19 including instruction regarding human sexuality, self-esteem,
 20 stress management, interpersonal relationships, domestic
 21 abuse, ~~HPV and the availability of a vaccine to prevent HPV,~~
 22 and acquired immune deficiency syndrome as required in section
 23 256.11, in grades one through twelve.

24 Sec. 4. Section 279.50, subsection 9, paragraph c, Code
 25 2021, is amended by striking the paragraph.

26 Sec. 5. NEW SECTION. **280.31 Pharmaceutical product**
 27 **advertisements prohibited.**

28 1. For purposes of this section:

29 a. "*Advertisement*" means an attempt by dissemination,
 30 solicitation, or circulation of any written, electronic, or
 31 printed communication to create an interest in or induce
 32 directly or indirectly a student to purchase or acquire a
 33 pharmaceutical product.

34 b. "*Pharmaceutical product*" means any product that under
 35 federal or state law shall not be dispensed except pursuant to

1 a prescription order written by a licensed medical professional
2 and dispensed by a pharmacy as defined in section 155A.3.

3 2. The board of directors of each school district and the
4 authorities in charge of each accredited nonpublic school
5 shall prohibit within a school attendance center and on school
6 grounds any advertisement for a pharmaceutical product.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with
9 the explanation's substance by the members of the general assembly.

10 This bill requires school districts and accredited nonpublic
11 schools to prohibit pharmaceutical product advertisements
12 within school attendance centers and on school grounds,
13 requires that such districts and schools provide to students in
14 grades 7 and 8 a health curriculum and to students in grades 9
15 through 12 health resources that include the federal National
16 Childhood Vaccine Injury Act of 1986, the occurrence of medical
17 errors, the practices of medical informed consent, and the
18 rights and responsibilities of patients under the law.

19 The bill eliminates references and instructional
20 requirements relating to the provision of human growth and
21 development materials and instruction to students regarding the
22 human papillomavirus and vaccine.